IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 4TH MAY 2007 / 14TH VAISAKHA 1929

Bail Appl..No. 2688 of 2007

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(CRIME NO. 106/2007 OF KUTTIPURAM POLICE STATION)

PETITIONERS/ACCUSED

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1. SAALEM ISMAIL, S/O.V.M.ISMAIL,
VALIYAVEETTIL HOUSE, MUDAVOOR P.O.,
MOOVATTUPUZHA, ERNAKULAM DISTRICT.

2. DEVIS PARAKAL, S/O.P.D.DOMINIC,
PARAKAL HOUSE, NORTH PARAVOOR,
ERNAKULAM DISTRICT.

3. LINO GEORGE, S/O.GEORGE K.JOSEPH,
KOODALIL HOUSE, THALAYOLAPARAMBU,
ERNAKULAM DISTRICT.

4. SAMJAD SADIQ ALI, S/O.SADIQ ALI K.A.,
KOLLATHVEETTIL HOUSE, KODUNGALLUR,
THRISSUR DISTRICT.

5. SANDEEP BABU, S/O.RAMESH KUMAR,
SARASWATHI HOUSE, TAVAPU,
KANNUR DISTRICT.

6. DEVI DARSHAN J., S/O.JAYAKUMAR S.,
LAKSHMI NIVAS, PALAKKAD TOWN,
PALAKKAD DISTRICT.

7. DELEEP BOSE, S/O.MADHAVAN CHANDRA BOSE,
ASHIRVAD HOUSE, KUNDUPARAMBA,
PARAMBATH, CALICUT DISTRICT.

8. DEEPAK BALACHANDRAN,
S/O.BALACHANDRAN T.,
PONKUNNAM, THRISSUR DISTRICT.

BY ADV. SRI.BABU S. NAIR

BA NO. 2688/2007

RESPONDENTS: STATE

THE STATE OF KERALA,
REP. BY THE SUB INSPECTOR OF POLICE,
KUTTIPPURAM POLICE STATION-THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR SRI. RAVINDRA BABU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.Balachandran, J.

B.A.No. 2688 of 2007

ORDER

This is an application for anticipatory bail filed under Section 438 Cr.P.C.

2. The petitioners are Accused Nos.1 to 8 in Crime No.106/07 of Kuttipuram Police Station, registered for offence under Sections 143, 147, 148, 324 and 308 IPC read with Section 149 thereof. The petitioners are students of Engineering, studying in the fourth semester in the MES College at Kuttippuram and the crime is registered on the basis of a complaint filed by another student. Considering the entire circumstances of the case, I am of the view that it is only proper, in the circumstances of the case, that anticipatory bail is granted to the petitioners, imposing necessary conditions.

In the result, I allow this bail application and direct that:

(i) the petitioners do surrender before the learned Magistrate concerned positively within fifteen days from today;

(ii) that on such surrender and on each of them depositing, by way of cash security, an amount of Rupees five thousand and executing bail bond for Rupees twenty thousand with two solvent sureties each for like sums to the satisfaction of the learned Magistrate concerned, the petitioners shall be enlarged on bail;

(iii) that on such release the petitioners shall co-operate with the investigation in the case and shall report before the Investigating Officer between 10 a.m. and 11 a.m. on all Tuesdays and Fridays for a period of two months and thereafter on all Tuesdays only, till the investigation in the case is over and final report is laid; and

(iv) that the grant of anticipatory bail shall not stand in the way of the learned Magistrate granting custody of the petitioners to the

Investigating Officer for questioning, if the Investigating Agency so asks for and the learned Magistrate deems it fit to grant, considering the circumstances of the case.

4th May, 2007 (K.P.Balachandran, Judge)

tkv